IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET.
CIVIL APPLICATION NO.1421 OF 2003
IN
APPEAL FROM ORDER NO.234 OF 2000

The Ratnakar Bank Ltd. ...Applicant
Vs.
M/s.Mehta General Hospital & Ors. ...Respondents

CORAM: A.S.OKA,J.
DATE : MARCH 4,2005.

P.C.:

1. Office noting shows that the Respondents are served with the notice. None appears for the Respondent. No reply is filed.

2. By order dated 23rd July 2003 passed in Civil Application No.793 of 2003, the Appeal from Order No.234 of 2004 was dismissed as the main suit i.e. Special Civil Suit No.37 of 2000 has been dismissed.

3. The learned Counsel for the Applicant has brought to my notice the order dated 29th July 2003 passed in Misc.Application No.199 of 2003 by which the Special Civil Suit No.37 of 2000 has been restored. The learned Counsel for the Applicants states that the said suit is now pending.

4. In this view of the matter, Appeal deserves to be restored. Accordingly, Civil Application is allowed in terms of prayer clause (a). Ad-interim order passed in this Civil Application on 26th December 2003 by this Court will continue to operate for a period of six weeks from today with liberty to the Applicant/s to take out appropriate application for interim relief.

JUDGE.